

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-18-04

WHEREAS, JORGE & NANCY HERNANDEZ had applied to Community Zoning

Appeals Board 14 for the following:

Applicant is requesting approval to permit a lot with an area of 1.35 gross acres. (The underlying zoning district regulation requires 5 acres.)

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

SUBJECT PROPERTY: The west 181.5' of the east 1,427' of the north 300' of the south 1,943' of the NE ¼ of Section 21, Township 56 South, Range 38 East.

LOCATION: The south side of S.W. 234 Street and approximately 362' east of S.W. 209 Place, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the request to permit a lot with an area of 1.35 gross acres would meet the standards of the alternative site development option zoning regulation, and so promote the objectives of creative urban design, infill development and redevelopment and/or preservation and enhancement of property values, and would not contravene the public interest standards enumerated in such regulation, with the result that the public interest served by the underlying zoning district regulations and the CDMP will be commensurately served and should be approved, and said application was approved by Resolution No. CZAB14-3-03, and

WHEREAS, THE DIRECTOR OF PLANNING AND ZONING appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

Applicant is requesting approval to permit a lot with an area of 1.35 gross acres. (The underlying zoning district regulation requires 5 acres.)

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

SUBJECT PROPERTY: The west 181.5' of the east 1,427' of the north 300' of the south 1,943' of the NE ¼ of Section 21, Township 56 South, Range 38 East.

LOCATION: The south side of S.W. 234 Street and approximately 362' east of S.W. 209 Place, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, at which time the appellant and the applicant requested permission to withdraw the appeal and the entire application, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board to vacate CZAB14-3-03, and that the request to withdraw the appeal and the application should, be granted, and

WHEREAS, a motion to vacate CZAB14-3-03 and to withdraw the appeal and the application was offered by Commissioner Dennis C. Moss, seconded by Commissioner Sally A. Heyman, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Dennis C. Moss	aye
Jose "Pepe" Diaz	absent	Dorrin D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	absent
Joe A. Martinez	absent	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	aye

Chairperson Barbara M. Carey-Shuler aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that resolution CZAB14-3-03 be and the same is hereby vacated.


BE IT FURTHER RESOLVED that the request to withdraw the appeal and the application be and the same is hereby withdrawn without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 13th day of May, 2003, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 02-12-CZ14-2
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By  **RAY SULLIVAN**
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 24TH DAY OF MAY, 2004.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

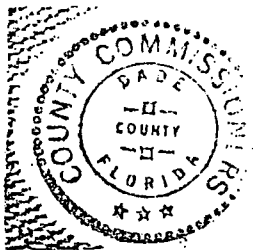
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-18-03 adopted by said Board of County Commissioners at its meeting held on the 13th day of May, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 24th day of May, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA



DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street
MIAMI, FLORIDA 33175

□ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

□ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

□ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

□ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

May 27, 2004

Jorge & Nancy Hernandez
c/o Jerry Proctor
2500 First Union Financial Center
Miami, FL 33131

Re: Hearing No. 02-12-CZ14-2
Location: The south side of S.W. 234 Street and approximately
362' east of S.W. 209 Place, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-17-04, adopted by the Board of County Commissioners, which granted the appellant withdrawal of the appeal and your withdrawal of the entire application without prejudice on the above-described property.

Sincerely,

Earl Jones
Deputy Clerk

Enclosures